

REMARKS

Claims 1 – 49 were pending in the present application. Claims 1, 6, 16, 21, 28, 30, 35, and 45 have been amended. Claims 50 – 56 have been added. Claims 1 – 56 remain pending in the present application.

Double Patenting Rejections

The Examiner provisionally rejected Claims 1 – 49 under the judicially-created doctrine of obviousness-type double patenting over claims 1 – 32 of U.S. Patent Application No. 09/896,662 (now U.S. Patent 6,865,689).

While Applicant respectfully traverses these rejections, Applicant has nevertheless submitted herewith a terminal disclaimer. Accordingly, Applicant believes that these rejections have been overcome.

Rejections Under U.S.C. 102(e)

Claims 1 – 3 and 30 - 32 were rejected under U.S.C. 102(e) as being unpatentable by Mori (U.S. Patent No. 6,678,839 B2).

Mori discloses plural devices connected to a looped interface and a port bypass circuit capable of detaching a device from the looped interface (Abstract, Fig. 1). A port bypass circuit controller controls port bypass circuits and sequentially detaches devices from the looped interface in the event of a link fault or disconnection (Abstract) . After a device is detached, it is checked whether the loop fault continues (Abstract).

Mori does not teach or disclose “performing divide and conquer tests to identify a faulty loop segment and isolate the faulty link”, as recited in amended Claims 1 and 30. In contrast, Mori specifically teaches sequentially bypassing/checking devices in the loop. See, for example, FIG. 3 and FIG. 5 and their accompanying description, as well as Column 4, lines 11 – 15. “In case the system is not recovered from the loop fault, 1 is

added to the stored contents of the address of the HDD (the step 504 shown in FIG. 5) and as shown in FIG. 3B, HDDs are sequentially bypassed in ascending order." Applicant therefore believes Claims 1 and 30, as well as their dependent claims 2 – 3 and 31 – 32, patentably distinguish over Mori.

Rejections Under U.S.C. 103(a)

Claims 4 – 7, 13, 16 – 17, 20 – 22, 28 – 29, 33 – 36, 42, 45 – 46 and 49 were rejected under U.S.C. 103(a) as being unpatentable over Mori in view of Dimitroff et al (U.S. Patent No. 6, 209, 023, hereafter, Dimitroff).

Dimitroff discloses a network providing a method of virtualizing SCSI semantics onto a non-SCSI transport medium (Abstract). Examples of SCSI semantics for virtualizing SCSI-2 semantics onto a Fibre Channel interconnect medium include reserve/release support, unit attention support, and non-tagged command processing support for initiators (Abstract).

Dimitroff does not discuss isolating faults in a network loop. Neither Dimitroff nor Mori, taken singly or in combination, teach or suggest the limitation of "performing divide and conquer tests to identify a faulty loop segment and isolate the faulty link", as recited in amended independent Claims 1, 6, 16, 21, 28, 30, 35 and 45. Applicant therefore believes that these independent claims, along with their dependent claims, patentably distinguish over Mori and Dimitroff.

Newly Added Claims 50 – 56

New Claim 50 includes the features of Claim 8 as well as the original base claims and intervening claims of Claim 8. Inasmuch as the provisional double patenting rejection of Claim 8 has been overcome by virtue of the terminal disclaimer submitted by Applicant, and Claim 8 was not otherwise rejected by the Examiner, Claim 50 is believed to be allowable.

Likewise, new Claim 51 includes the features of Claim 18 as well as the original base claims and intervening claims of Claim 18. Inasmuch as the provisional double patenting rejection of Claim 18 has been overcome by virtue of the terminal disclaimer, and Claim 18 was not otherwise rejected by the Examiner, Claim 51 is also believed to be allowable.

In addition, new Claim 52 includes the features of Claim 19 as well as the original base claims and intervening claims of Claim 19. Inasmuch as the provisional double patenting rejection of Claim 19 has been overcome by virtue of the terminal disclaimer, and Claim 19 was not otherwise rejected by the Examiner, Claim 52 is also believed to be allowable.

Similarly, new Claim 53 includes the features of Claim 23 as well as the original base claims and intervening claims of Claim 23. Inasmuch as the provisional double patenting rejection of Claim 23 has been overcome by virtue of the terminal disclaimer, and Claim 23 was not otherwise rejected by the Examiner, Claim 53 is also believed to be allowable.

New Claim 54 includes the features of Claim 37 as well as the original base claims and intervening claims of Claim 37. Inasmuch as the provisional double patenting rejection of Claim 37 has been overcome by virtue of the terminal disclaimer, and Claim 37 was not otherwise rejected by the Examiner, Claim 54 is also believed to be allowable.

New Claim 55 includes the features of Claim 47 as well as the original base claims and intervening claims of Claim 47. Inasmuch as the provisional double patenting rejection of Claim 47 has been overcome by virtue of the terminal disclaimer, and Claim 47 was not otherwise rejected by the Examiner, Claim 55 is also believed to be allowable.

Finally, new Claim 56 includes the features of Claim 48 as well as the original base claims and intervening claims of Claim 48. Inasmuch as the provisional double

patenting rejection of Claim 48 has been overcome by virtue of the terminal disclaimer, and Claim 48 was not otherwise rejected by the Examiner, Claim 56 is also believed to be allowable.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-81900/BNK.

Respectfully submitted,



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Date: April 1, 2005